

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

UNITED STATES OF AMERICA,

v.

CRIMINAL ACTION NO. 2:21-cr-00066

RALPH FLOYD BARNETT, JR.

MEMORANDUM OPINION AND ORDER

Pending before the court is Defendant Ralph Floyd Barnett, Jr.'s Motion for Compassionate Release pursuant to 18 U.S.C. § 3582(c)(1)(A). [ECF No. 53]. In October 2021, Mr. Barnett was sentenced to 41 months of imprisonment followed by three years of supervised release after pleading guilty to the felonious possession of a firearm in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). [ECF Nos. 38, 48]. After serving his sentence at FCI Butner, Mr. Barnett was ultimately released from custody on May 30, 2023. *Find an Inmate*, Fed. Bureau of Prisons, <https://www.bop.gov/inmateloc/index.jsp> (first name "Ralph," last name "Barnett") (last visited July 17, 2023); *see also* [ECF No. 53-1, at 3 (providing inmate register number)].

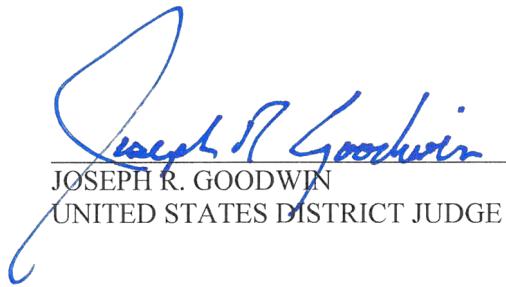
A case is moot when the issues presented are no longer live and the parties lack a cognizable interest in the outcome. *Simmons v. United Mortg. & Loan Inv.*,

LLC, 634 F.3d 754, 763 (4th Cir. 2011). Because he has already been released from custody, Mr. Barnett's Motion is now moot, the instant action is no longer live, and any modification or reduction of Mr. Barnett's previously served sentence would be futile.

For these reasons, Defendant's Motion [ECF No. 53] is **DENIED as moot**.

The court **DIRECTS** the Clerk to send a copy of this Order to all counsel of record, the defendant, and the United States Probation Office.

ENTER: July 20, 2023



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE